

EXHIBIT D



KARA M. MUNDY

Associate [Columbus Office](#)

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PRACTICE AREAS

Antitrust and Trade Regulation

eControl

Litigation

EDUCATION

The Ohio State University Moritz College of Law, J.D., 2013, *magna cum laude*

Ohio State Law Journal, managing editor, 2012-2013; staff member, 2011-2012

The Ohio State University, B.A., 2009, *cum laude*, with honors and research distinction

BAR AND COURT ADMISSIONS

Ohio

U.S. Court of Appeals for the Sixth Circuit

U.S. District Court for the Southern District of Ohio

Admitted to practice law only in the states listed above.

Kara is an associate in the Vorys Columbus office, a member of the antitrust subgroup, and a member of the litigation practice group. Her practice focuses on antitrust advising and litigation, land use and eminent domain litigation, and general complex commercial and business litigation. Kara also has experience representing both plaintiffs and defendants in antitrust class action litigation.

She has significant experience counseling clients on antitrust issues related to price fixing, no-poach, no-hire and non-solicitation arrangements, compliance, competitive bidding, and mergers and acquisitions. As part of her antitrust practice, Kara works with manufacturers and retailers on issues relating to Minimum Advertised Pricing policies and Resale Price Maintenance. She advises clients regarding vertical pricing issues and how business clients can structure their relationships with distributors and retailers to avoid violations of the Sherman, Clayton, and Robinson-Patman Acts. She regularly trains executives and sales teams on competition issues and how companies can structure their business operations and communications to lower their antitrust risk.

As part of her work on behalf of clients who are navigating competition and marketplace issues, Kara represents a Fortune 500 company bringing price gouging and Lanham Act, and state law corollary claims against unauthorized sellers of counterfeit products. She has experience obtaining preliminary and permanent injunctive relief, seizure orders, and judgments against bad actors in the marketplace, particularly those markets that have seen increased activity as a result of the global pandemic.

With respect to Kara's land use and general complex commercial litigation practice, Kara has represented clients and litigated disputes involving real property, zoning approvals and denials, governmental appropriations, complex contracts, and breach of fiduciary duties. She regularly practices in federal and state courts, and has achieved favorable results for her clients in both arenas.

Her notable experience includes:

- Representing a contact lens seller in defending a class action alleging antitrust claims related to keyword bidding
- Representing a government contractor in defending a class action alleging antitrust claims related to purported no-poach and no-hire agreements
- Obtaining a seizure order and preliminary injunctive relief under the Lanham Act against a seller of counterfeit products
- Successfully defending and obtaining summary judgment on copyright infringement claims and obtaining an attorneys fees award resulting from same
- Advising national retail clients on drafting and implementing Minimum Advertised Pricing policies and Resale Price Maintenance policies

VORYS

KARA M. MUNDY

(Continued)

- Obtaining a jury verdict in excess of \$3 million in a case involving a breach of fiduciary duties
- Obtaining jury verdicts and settlements on behalf of landowners in eminent domain litigation
- Assisting in the preparation of multiple jury trials in real property and complex business litigation matters
- Negotiating successful resolutions of pre- and post-lawsuit matters on behalf of clients ranging from individuals to national companies

Kara served as a judicial extern for the Honorable Michael H. Watson in the U.S. District Court for the Southern District of Ohio and as a judicial extern for the Honorable Kimberly Cocroft in the Franklin County Court of Common Pleas.

Kara received her J.D. *magna cum laude* from The Ohio State University Michael E. Moritz College of Law, where she was a managing editor of the *Ohio State Law Journal*. She received her B.A. *cum laude* with honors and research distinction from The Ohio State University.

Insights

"*Client Alert: Jury Clears 5-Hour Energy of Liability for Antitrust Violations, But the Damage Is Done,*" October 23, 2019

Events

10th Law of Shale Plays Conference
September 4, 2019

Category Management Association (CMA) Webinar
August 23, 2019

Pricing, Promotions and Your Antitrust Exposure: What you Need to Know About the Robinson-Patman Act
May 9, 2018